

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<p>PETER ACCURSO,</p> <p>Plaintiff,</p> <p>v.</p> <p>INFRA-RED SERVICES, INC., ROOFING DYNAMICS GROUP, LLC, ROOFING DYNAMICS, INC., BRIAN LAND, and AUDREY STREIN</p> <p>Defendants.</p>	<p>CIVIL ACTION NO. 13-7509</p>
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**JOINT MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS OF  
DEFENDANT LAND AND DEFENDANT STREIN**

Pursuant to Federal Rule of Civil Procedure 12(c), Defendant Brian Land (“Land”) and Defendant Audrey Strein (“Strein”), by and through their undersigned counsel, hereby submit this Joint Motion for Partial Judgment on the Pleadings seeking dismissal of Count II (Breach of Contract), Count III (Breach of Partnership Agreement) and Count VII (Civil Conspiracy) of Plaintiff’s Amended Complaint with prejudice as to Defendants Land and Strein for failure to state a valid cause of action. In support thereof, Defendants Land and Strein incorporate herein by reference the contents of their Memorandum of Law in Support of their Joint Motion for Partial Judgment on the Pleadings filed contemporaneously herewith.

WHEREFORE, Defendant Brian Land and Defendant Audrey Strein respectfully request that this Honorable Court enter an Order dismissing Counts II, III and VII of the Amended Complaint with prejudice as to Defendant Land and Defendant Strein.

Dated: April 15, 2014

Respectfully submitted,

KUTAK ROCK LLP

BY: /s/ Julie B. Negovan

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Services, Inc., Roofing Dynamics  
Group, LLC, Roofing Dynamics, Inc.,  
and Brian Land and Audrey Strein*

**CERTIFICATE OF SERVICE**

I, Melissa E. Scott, hereby certify that, on this 15th day of April 2014, I served a copy of the foregoing Joint Motion for Partial Judgment on the Pleadings of Defendant Land and Defendant Strein on the following via the court's electronic filing system:

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*Counsel for Plaintiff Peter Accurso*

/s/ Melissa E. Scott

Melissa E. Scott